

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**SUSAN M. FAUST, NXGEN VECTOR : CIVIL ACTION
SOLUTIONS, LLC : :**

v. : NO. 24-406

**THE TRUSTEES OF THE
UNIVERSITY OF PENNSYLVANIA,
DR. JAMES WILSON : :**

ORDER

AND NOW, this 8th day of October 2024, upon considering defendants' motion to dismiss (DI 12), plaintiffs' opposition (DI 15), defendants' reply (DI 16), plaintiffs' motion for leave to file an amended complaint (DI 28), defendants' response (DI 36), plaintiffs' reply (DI 39), and for the reasons in the accompanying memorandum, it is ORDERED:

1. Defendants' motion to dismiss (DI 12) is **GRANTED in part** and **DENIED in part**. Dr. Faust's count VI (of the amended complaint at DI 28-3), violation of Pennsylvania's Wage Payment and Collection Law, is **DISMISSED**.

2. Plaintiffs' motion for leave to file an amended complaint (DI 28) is **GRANTED**. We allow the case to proceed under the most recent version of the amended complaint, which plaintiff shall file separately on the docket. *See* DI 28-3. Defendants shall respond no later than **October 23, 2024**.

3. We note that the amended complaint does not include NxGEN Vector Solutions, LLC as a plaintiff, so accordingly we direct the Clerk of Court to **DISMISS** NxGEN Vector Solutions, LLC and reform the caption accordingly.



MURPHY, J.